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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of decision: 29th May, 2026

Uploaded on: 1st June, 2026

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+ **CONT.APP.(C) 10/2026 & CM APPL. 37470/2026, CM APPL. 37471/2026, CM APPL. 37472/2026**

WEDDINGPARK HOSPITALITIES PVT LTD REPRESENTED BY
SANDEEP R. ARORAAppellant

Through: Ms. Nishtha Agarwal, Adv.
versus

ANKIT JAIN & ORS.Respondents

Through: None.

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+ **CONT.APP.(C) 11/2026 & CM APPL. 37473/2026, CM APPL. 37474/2026, CM APPL. 37475/2026**

WEDDING PARK HOSPITALITIES PVT. LTD.Appellant

Through: Ms. Nishtha Agarwal, Adv.

versus

BALESH DEVI BHADANA & ANR.Respondents

Through: None.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.

CM APPL. 37470/2026 & CM APPL. 37472/2026 in CONT.APP.(C) 10/2026

CM APPL. 37473/2026 & CM APPL. 37475/2026 in CONT.APP.(C) 11/2026

2. These are applications filed by the Appellant(s) seeking condonation of delay of 10 days in filing and 37 days in re-filing the **CONT.APP.(C) 10/2026**



and 7 days in filing and 38 days in re-filing the **CONT.APP.(C) 11/2026**.

3. For the reasons stated in the said applications, the delay is condoned.

4. These applications are allowed and disposed of accordingly.

CONT.APP.(C) 10/2026

CONT.APP.(C) 11/2026

5. The present two appeals have been filed by the Appellants under Section 19(1)(a) of the Contempt of Courts Act, 1971 read with Section 151 of the Code of Civil Procedure, 1908, assailing the order dated 24th February, 2026 passed by the Id. Single Judge in **O.M.P. (I)(COMM) 253/2024** titled '**M/s Wedding Park Hospitalities pvt. ltd. v. Balesh Devi Bhadana & Anr.**' by which the contempt petition of the Appellant has been rejected.

6. The submission on behalf of the Appellant is that neither the arbitrator considered the violations committed by the Respondents, and the Id. Single judge has also refused to entertain the contempt petition.

7. In the opinion of this Court, the present appeal would not be maintainable in view of the decision of the Supreme Court in **Midnapore Peoples' Coop. Bank Ltd. v. Chunilal Nanda, (2006) 5 SCC 399**. In '**Midnapore Peoples' Coop. Bank Ltd. v. Chunilal Nanda (2006) 5 SCC 399**, the Court has clearly held that appeals under Section 19 of the Contempt of Courts Act, 1971 would be maintainable only in respect of orders punishing for contempt. The relevant portion is set out below:

"11. The position emerging from these decisions, in regard to appeals against orders in contempt proceedings may be summarised thus:

I. An appeal under Section 19 is maintainable only against an order or decision of the High Court passed in exercise of its jurisdiction to punish for contempt, that is, an order imposing punishment for



contempt.

II. Neither an order declining to initiate proceedings for contempt, nor an order initiating proceedings for contempt nor an order dropping the proceedings for contempt nor an order acquitting or exonerating the contemnor, is appealable under Section 19 of the CC Act. In special circumstances, they may be open to challenge under Article 136 of the Constitution.

III. In a proceeding for contempt, the High Court can decide whether any contempt of court has been committed, and if so, what should be the punishment and matters incidental thereto. In such a proceeding, it is not appropriate to adjudicate or decide any issue relating to the merits of the dispute between the parties.

IV. Any direction issued or decision made by the High Court on the merits of a dispute between the parties, will not be in the exercise of “jurisdiction to punish for contempt” and, therefore, not appealable under Section 19 of the CC Act. The only exception is where such direction or decision is incidental to or inextricably connected with the order punishing for contempt, in which event the appeal under Section 19 of the Act, can also encompass the incidental or inextricably connected directions.

V. If the High Court, for whatsoever reason, decides an issue or makes any direction, relating to the merits of the dispute between the parties, in a contempt proceedings, the aggrieved person is not without remedy. Such an order is open to challenge in an intra-court appeal (if the order was of a learned Single Judge and there is a provision for an intra-court appeal), or by seeking special leave to appeal under Article 136 of the Constitution of India (in other cases).

The first point is answered accordingly.”

8. The above judgment has been followed by this Court in



2026:DHC:5012-DB



CONT.APP.(C) 23/2025 titled '***RK Sharma v. Sh. Amarjeet Singh***' and recently in ***CONT.APP.(C) 6/2026*** titled '***Tribhuwan Singh & Ors. v. Shri Chetan Prakash Jain and Anr.***

9. At this stage, ld. Counsel for the Appellants submits that she would withdraw the present appeals with liberty to avail remedies in accordance with law.

10. The present appeals along with pending application(s), if any, are dismissed as withdrawn with liberty as sought.

PRATHIBA M. SINGH
JUDGE

MADHU JAIN
JUDGE

MAY 29, 2026/prg/sm